

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DEARBORN MID-WEST
COMPANY, LLC, and DEARBORN
HOLDING COMPANY, LLC

Plaintiff,
v.
Case No. 22-cv-12114
F M SYLVAN, INC., STEPHEN
DORCHAK, ERNEST PANDOLFI,
and IBRAHIM EID,
Hon. Robert H. Cleland
Defendants.

ORDER GRANTING PRELIMINARY INJUNCTION

This matter having come before the Court on Plaintiffs' Motion for a Temporary Restraining Order and Preliminary Injunction ("Motion") (ECF No. 2); the Court having conducted an evidentiary hearing on October 26, 27 and 28, 2022 on the Motion; and the Court being otherwise advised in the premises, the Court hereby Orders the following for the reasons set forth in ECF No. 36:

IT IS HEREBY ORDERED that Defendants F M Sylvan, Inc., Stephen Dorchak, Ernest Pandolfi, and Ibrahim Eid are restrained and immediately enjoined from using DMW's Confidential and Trade Secret Information, defined as: (a) Plaintiff's Standards and Non-Standards (which are DMW's conveyor system designs, assemblies, drawings and blueprints); (b) Plaintiff's Green Sheets (which are financials,

labor, cost, time and material data); (c) Plaintiff's CIPs (which are project progress status, and billing); and (d) Plaintiff's WIPs (which reflect available work).

IT IS FURTHER ORDERED that, by November 21, 2022, Defendants F M Sylvan, Inc., Stephen Dorchak, Ernest Pandolfi, and Ibrahim Eid shall provide a full written accounting of any and all of Plaintiffs' Confidential and Trade Secret Information in their possession to Plaintiff's counsel.

IT IS FURTHER ORDERED that, by November 21, 2022, Defendants F M Sylvan, Inc., Stephen Dorchak, Ernest Pandolfi, and Ibrahim Eid shall conduct a thorough search for any Confidential and Trade Secret Information, as identified in subparts (a) – (d) of the paragraph above, of DMW in their possession and return to DMW any such Confidential and Trade Secret Information to Plaintiff's counsel. The search shall include devices in Defendants' possession, personal and business emails and cloud based storage.

IT IS FURTHER ORDERED that, on or before November 21, 2022, Defendants F M Sylvan, Inc., Stephen Dorchak, Ernest Pandolfi, and Ibrahim Eid turn over for forensic examination all business and personal computers, phones, hard drives, and devices on which Plaintiffs' Confidential and Trade Secret Information may reside, including but not limited to:

- a. Volume Name of STORE N GO with a Volume Serial Number of 388CE695;

- b. Volume Name of Extreme SSD with a Volume Serial Number of 42E55E88;
- c. Removable device with a Volume Serial Number of D753CB9E;
- d. Seagate Backup Plus Drive (External USB Hard Drive) with a Volume Serial Number of 5A9E9116;
- e. Volume Name of FLASH DRIVE with a Volume Serial Number of 4C02544C;
- f. Volume Name of STORE N GO with a Volume Serial Number of 01F9BFF1;
- g. Removable device WD Passport (USB external HDD) with a Volume Serial Number of C880BE5F;
- h. WD External USB MyPassport HDD with a Volume Serial Number of B4BE57F2;
- i. Lexar USB flash drive with a Volume Serial Number of 1728964F;
- j. USB drive with a Volume Name of USB20FD and a Volume Serial Number of 34333231; and
- k. Removable drive with a Volume Serial Number of DE4DC512.
- l. Any and all other USB drives, and removable hard drives, in their possession and/or control.
- m. Any and all FM Sylvan-owned computers assigned to or used by Defendants Pandolfi, Dorchak and Eid from the date their employment with FM Sylvan began to the present date.
- n. All personal computers and laptops belonging to Pandolfi, Dorchak and Eid.

IT IS FURTHER ORDERED that Defendants shall produce the devices described in the preceding paragraph to Data Exam, LLC, 1020 Long Blvd, Suite 9,

Lansing, Michigan 48911 (517) 303-4716, AdamKelly@DataExam.com for a forensic examination.

This Order does not close the case.

S/Robert H. Cleland
Hon. Robert H. Cleland
United States District Court Judge

Dated: November 14, 2022

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